

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ALBERT M. MARK.

V.

HOPE BAUER, *et al.*,

## Defendants.

No. C08-0001RSL

**ORDER DENYING PLAINTIFF'S  
MOTION FOR RECONSIDERATION**

On March 17, 2008, the Court granted defendants' motion for summary judgment based on the expiration of the three-year statute of limitations. Plaintiff filed a timely motion for reconsideration (Dkt. # 45), arguing that the statute of limitations was tolled during the sixty-day claims period.

Motions for reconsideration are disfavored in this district. Such motions will be granted only upon a “showing of manifest error in the prior ruling” or “new facts or legal authority which could not have been brought to [the Court’s] attention earlier without reasonable diligence.” Local Civil Rule 7(h)(1). Despite the fact that defendants squarely raised the statute of limitations issue in their motion for summary judgment, plaintiff never asserted that the limitations period was tolled by the filing of a claim against the City or otherwise supported such a finding. In fact, plaintiff has still not provided any evidence that a claim was actually filed.

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Because these matters could have and should have been brought to the Court's attention while  
1 this case was still pending, plaintiff has not met his burden and his motion for reconsideration is  
2 DENIED.  
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4 Dated this 27th day of March, 2008.  
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7 Robert S. Lasnik  
United States District Judge  
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